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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of ) Art Unit: 1617 : Schmelzer, C. et al ) Examiner: Russell S. TRAVERS U.S. Appln. No. : 10/054,567 Confirmation No.: 7734 U.S. Filing Date : 11/13/2001 Title of Invention: Pharmaceutical Compositions Based On Tiotropium Salts Of Salts Of Salmeterol Attny. Docket No.: 1/1171 Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 June 21, 2004 TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT Sir: Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow. This Statement is being filed: i) within three (3) months of the filing 1.97(b). date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114. This Statement is being filed after the time period specified in 37  $\boxtimes$ 1.97(c). C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by: A statement as specified in 37 C.F.R. §1.97(e) [see below]; or The fee set forth in 37 C.F.R. §1.17(p). 06/30/2004 AADDF01 00000142 022955 10054567

		The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.
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	1.97(e)	). -
	counte	Each item of information contained in the instant information disclosure ent was first cited in any communication from a foreign patent office in a expart foreign application not more than three (3) months prior to the filing of tant information disclosure statement; or
	foreign makin inform C.F.R.	No item of information contained in the instant information disclosure tent was cited in a communication from a foreign patent office in a counterpart in application, and, to the knowledge of the person signing this certification after greasonable inquiry, no item of information contained in the instant nation disclosure statement was known to any individual designated in 37 at \$1.56(c) more than three (3) months prior to the filing of the instant nation disclosure statement.
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counte in sect	erpart aption 1.5	Each item of information contained in the accompanying information tement was cited in a communication from a foreign patent office in a oplication, which communication was not received by any individual designated 6(c) more than thirty (30) days prior to the filing of the accompanying isclosure statement.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,

Allualf Andrea D. Small

Attorney for Applicant(s)

Reg. No. 54,859

Patent Department Boehringer Ingelheim Corp. 900 Ridgebury Road, P.O. Box 368 Ridgefield, CT 06877 Tel: (203) 798-4816 Certificate of Mailing

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PTO/SB/08a (08-03)
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Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO **Application Number** 10/054,567 Filing Date INFORMATION DISCLOSURE 11/13/2001 First Named Inventor Christel SCHMELZER STATEMENT BY APPLICANT Art Unit 1617 **Examiner Name** Russell S. TRAVERS (Use as many sheets as necessary) **Attorney Docket Number** 1/1171 2 Sheet

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
······································		<sup>US-</sup> 6,630,466 B2	10/07/2003	Bozung, K-H. et al	
		<sup>US-</sup> 6,433,027 B1	08/13/2002	Bozung, K-H et al	
		<sup>US-</sup> 6,455,524 B1	09/24/2002	Bozung, K-H et al	
		<sup>US-</sup> 2003/0166722 A1	09/04/2003	Linz, G. et al	
		<sup>US-</sup> 6,482,429 B1	11/19/2002	Etzler, F. M.	
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	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Substitute for form 1449B/PTO				Complete if Known			
				Application Number	10/054,567 11/13/2001		
INFORM	I NOITAN	DISCLO	SURE	Filing Date			
STATEMENT BY APPLICANT				First Named Inventor	Christel SCHMELZER		
				Art Unit	1617 .		
(Use as many sheets as necessary)				Examiner Name	Russell S. TRAVERS		
Sheet	2	of	2	Attorney Docket Number	1/1171		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		HARTIG, M. ET AL; "Powdered Medicaments Containing A Tiotropium Salt And Salmeterol Xinafoate"; USSN 10/736,264; Filed 12/15/2003; Attorney Docket No. 1/1439	
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<sup>1</sup> Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.